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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DENNIS GATTI, Individually and on Behalf of Civil Action No. 11 Civ 7358 (NRB)
All Others Similarly Situated,

Plaintiff,

~~PROPOSED~~ ORDER

-against-

TIMES SQUARE ARTS CENTER, LLC, 300
WEST 43RD STREET REALTY, INC., 300
WEST 43RD STREET, LLC AND RICHARD
BASCIANO, Jointly and Severally,


Defendants.

AND NOW, THIS 26TH DAY OF March, 2012, the Court having reviewed the pleadings in this case executed by Plaintiff Dennis Gatti and Defendants Times Square Arts Center, LLC, 300 West 43rd Street Realty, Inc., 300 West 43rd Street, LLC and Richard Basciano (collectively "the Parties"), and considered applicable case law, and the Parties having appeared before the Court on March 20, 2012 to present the material terms of the Settlement Agreement & General Release on the public record, and for good cause shown, it is **ORDERED, ADJUDGED and DECREED** that:

1. The Settlement Agreement & General Release: (a) is fair to all Parties; (b) reasonably resolves a bona fide disagreement between the Parties with regard to the merits of the Plaintiff's claims; and (c) demonstrates a good faith intention by the Parties that the Plaintiff's claims for liability and damages be fully and finally resolved, and not relitigated in whole or in part at any point in the future. The Agreement is therefore **APPROVED** by the Court.

2. This lawsuit and the claims of Plaintiff are **DISMISSED WITH PREJUDICE** in their entirety.

3. Each party shall bear his/its own costs, including attorney's fees.


UNITED STATES DISTRICT JUDGE

Agreed:

PELTON & ASSOCIATES, P.C.

LITTLER MENDELSON, P.C.

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